

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ALLAN RALPH EVANS,

Petitioner,

v.

BRIGITTE AMSBERRY,

Respondent.

Case No. 2:21-cv-01164-CL

ORDER

MCSHANE, Judge:

Magistrate Judge Mark D. Clarke filed a Findings and Recommendation (ECF No. 31), and the matter is now before this Court. *See* 28 U.S.C. § 636(b)(1)(B); Fed. R. Civ. P. 72(b). Though no objections were filed, I review *de novo*. *United States v. Bernhardt*, 840 F.2d 1441, 1445 (9th Cir. 1998). I find no error and conclude the report is correct.

Magistrate Judge Clarke's Findings and Recommendation (ECF No. 31) is adopted in full. The Petition for Writ of Habeas Corpus (ECF No. 1) is DENIED. A Certificate of Appealability is DENIED because Petitioner has not made a substantial showing of the denial of a constitutional right. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 483-84 (2000).

IT IS SO ORDERED.

DATED this 31st day of May, 2023.

/s/ Michael J. McShane
Michael McShane
United States District Judge